

Message Text

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SUBJECT: ANNUAL HUMAN RIGHTS REPORT

REF: STATE 022819

1. FOLLOWING IS FINAL TEXT OF ANNUAL HUMAN RIGHTS REPORT
FOR YOUR COUNTRY FOR PRESENTATION TO HOST GOVERNMENT IN
ACCORDANCE WITH REFTEL INSTRUCTIONS.

GUINEA-BISSAU IS A SINGLE PARTY STATE WHOSE CONSTITUTION
GUARANTEES FUNDAMENTAL RIGHTS IN ACCORDANCE WITH THE
PRINCIPLES OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS.
THE GUINEA-BISSAU GOVERNMENT APPEARS TO BE COMMITTED TO
UPHOLDING THE HUMAN RIGHTS GUARANTEES OUTLINED IN THE
CONSTITUTION, AND IT DOES NOT SANCTION VIOLATIONS. THE
ORIGIN OF THE GUINEA-BISSAU GOVERNMENT--A CLANDESTINE
STATE OPERATING AS AN ARMY OF LIBERATION WHOSE PRINCIPAL
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GOAL WAS EXPULSION OF THE PORTUGUESE--IS STILL REFLECTED
IN OCCASIONAL OVERZEALOUS ACTIONS BY THE STATE SECURITY
APPARATUS. GUINEA-BISSAU DECLARED ITS INDEPENDENCE ONLY
IN 1973, AND THE GOVERNMENT IS CONCERNED ABOUT THE
SECURITY OF ITS BORDERS AND ABOUT SMALL AND DISORGANIZED

GROUPS OPPOSED TO THE CURRENT REGIME AND OPERATING OUTSIDE

THE COUNTRY. AS THESE PERCEIVED THREATS TO SECURITY DECREASE, AS THEY APPEAR TO BE DOING, RESPECT FOR HUMAN RIGHTS SHOULD BE FURTHER ENHANCED.

1. RESPECT FOR THE INTEGRITY OF THE PERSON,
INCLUDING FREEDOM FROM:

A. TORTURE

THERE ARE NO REPORTS OF TORTURE IN GUINEA-BISSAU.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR
PUNISHMENT

SUCH ACTIONS ARE NOT COUNTENANCED IN GUINEA-BISSAU.

C. ARBITRARY ARREST OR IMPRISONMENT

THE CONSTITUTION GUARANTEES THE RIGHT NOT TO BE DETAINED, ARRESTED OR CONDEMNED OTHER THAN ACCORDING TO THE LAW IN FORCE. HOWEVER, THE CONSTITUTION ALSO CONTAINS A PROVISION WHICH CAN BE USED TO DENY RIGHTS AND LIBERTIES TO THOSE WHO "ENCOURAGE COLONIALISM, IMPERIALISM, RACISM, OR TRIBALISM." THE CURRENT REGIME IN GUINEA-BISSAU FOUGHT A 13-YEAR WAR WITH PORTUGAL TO GAIN INDEPENDENCE, AND A NUMBER OF THOSE DETAINED IN THE PERIOD FOLLOWING UNCLASSIFIED

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INDEPENDENCE WERE IN THE EMPLOY OF THE COLONIAL REGIME. IN RECENT MONTHS THE GUINEA-BISSAU GOVERNMENT HAS GRANTED AMNESTY TO A NUMBER OF POLITICAL PRISONERS AND REDUCED THE SENTENCE OF OTHERS. WHILE THE NUMBER OF PERSONS SERVING SENTENCES FOR POLITICAL OFFENSES IS NOT KNOWN, IT IS THOUGHT TO BE SMALL.

D. DENIAL OF FAIR PUBLIC TRIAL

THE RIGHT OF DEFENSE IS RECOGNIZED AND GUARANTEED TO THE DEFENDANT AND THE ACCUSED BY THE CONSTITUTION. IN THE EARLY DAYS AFTER INDEPENDENCE A NUMBER OF INDIVIDUALS ARRESTED FOR POLITICAL OFFENSES DID NOT RECEIVE PUBLIC TRIALS. IN RECENT YEARS, HOWEVER, THERE HAVE BEEN NO REPORTED INSTANCES WHERE DEFENDANTS HAVE BEEN DENIED FAIR PUBLIC TRIALS.

E. INVASION OF THE HOME

THE CONSTITUTION GUARANTEES THE INVIOABILITY OF DOMICILE AND THIS GUARANTEE IS REPORTEDLY RESPECTED IN PRACTICE.

2. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT
OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND
EDUCATION

THE GUINEA-BISSAU GOVERNMENT HAS INSTITUTED DEVELOPMENT
PLANS TO DECENTRALIZE AT THE REGIONAL LEVEL A NUMBER
OF ECONOMIC PROGRAMS. THIS DECENTRALIZATION OF A
PLANNED ECONOMY IS DESIGNED TO BE MORE RESPONSIVE TO
LOCAL CONDITIONS, TO PROMOTE RURAL DEVELOPMENT, AND
FULFILL BASIC HUMAN NEEDS. AS THE GUINEA-BISSAU GOVERN-
MENT BEGAN AS A LIBERATION MOVEMENT BASED IN THE RURAL
AREAS, THE ASPIRATIONS OF THE RURAL POOR AND THE IMPROVE-
MENT OF THEIR LIVING STANDARDS HAVE ALWAYS BEEN PRIME
CONCERNS OF THE REGIME. AGRICULTURAL DEVELOPMENT IS THE
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TOP PRIORITY OF THE GOVERNMENT. THE RESULTS OF THE NEW
DECENTRALIZATION APPROACH HAVE BEEN LIMITED SO FAR, BUT
POSITIVE. LOCAL PARTICIPATION IN THE PLANNING PROCESS
IS GENUINE AND WORKING.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION
AND ASSEMBLY

THE CONSTITUTION GUARANTEES FREEDOM OF EXPRESSION, THOUGHT,
ASSEMBLY, DEMONSTRATION, AND RELIGION. THE FREEDOMS OF
THOUGHT, SPEECH AND ASSEMBLY ARE GENERALLY RESPECTED.
HOWEVER, WHERE THEY INVOLVE CRITICISM AND OPPOSITION
TO THE CURRENT GOVERNMENT AND PARTY, THEY ARE LIMITED.
GUINEA-BISSAU'S MEDIA IS CONTROLLED BY THE GOVERNMENT.
A MASS TRADE UNION ORGANIZATION IS BEING CREATED, AND
ABOUT ONE-HALF OF THE NATION'S 4,000 SALARIED WORKERS
ARE MEMBERS. FREEDOM OF RELIGION IS RESPECTED.

B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN
TRAVEL AND EMIGRATION

FOREIGN TRAVEL IS LIMITED, EXCEPT TO NEIGHBORING
COUNTRIES, BECAUSE OF DIFFICULTIES IN OBTAINING HARD
CURRENCY. EXIT VISAS FOR FOREIGN RESIDENTS ARE RE-
QUIRED AND ARE SOMETIMES DIFFICULT TO OBTAIN. WE
KNOW OF NO BARS TO EMIGRATION.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

GUINEA-BISSAU IS A SINGLE-PARTY STATE AND OPPOSITION
PARTIES ARE NOT PERMITTED. HOWEVER, ONE NEED NOT BE
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A MEMBER OF THE RULING PARTY, THE AFRICAN PARTY FOR
THE INDEPENDENCE OF GUINEA-BISSAU AND CAPE VERDE

(PAIGC), IN ORDER TO HOLD ELECTED OR APPOINTED OFFICE.
ANY CITIZEN OVER 15 YEARS OF AGE IS ALLOWED TO VOTE.
IN DECEMBER 1976, LOCAL REFERENDUMS ON SINGLE SLATES
PROPOSED BY THE PAIGC WERE HELD TO ELECT REPRESENTATIVES
WHO WOULD CHOOSE THE DEPUTIES FOR THE NATIONAL ASSEMBLY.
IN DISTRICTS WHERE THE SLATES WERE REJECTED BY THE
VOTERS, NEW SLATES WERE PROPOSED AND APPROVED.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTER-
NATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED
VIOLATIONS OF HUMAN RIGHTS

THERE HAVE BEEN NO REQUESTS FOR OUTSIDE INVESTIGATIONS;
GUINEA-BISSAU'S RESPONSE TO SUCH REQUESTS IN THE FUTURE
WOULD LIKELY DEPEND ON THE NATURE OF THE ALLEGATIONS
AND THE REPUTATION OF THE ORGANIZATION REQUESTING THE
INVESTIGATION.

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